

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF ILLINOIS**

UNITED STATES OF AMERICA,

Plaintiff,

v.

**RANDY E. ST. CLAIR d/b/a ST. CLAIR
INDUSTRIES, INC. (a dissolved corporation),**

Defendant.

BI-PETRO, INC.,

Garnishee.

**STEVEN M. "MIKE" STOUT d/b/a STOUT'S
PRODUCTIONS,**

Case No. 99-cr-30206-DRH

Intervenor.

**DONALD LEHNE and WESTERN
KENTUCKY PETROLEUM, INC.,**

Respondents.

ORDER

HERNDON, Chief Judge:

Before the Court is Intervenor Steven M. "Mike" Stout d/b/a Stout's Productions's ("Stout") Motion to Voluntary Withdraw his Motion for Appointment of Receiver and Motion to Intervene (Doc. 103). The Motion states that because the parties in this case "have reached a mutually agreeable resolution of this matter," Stout voluntarily withdraws his Motion for Appointment of Receiver (Doc. 82) and Motion to Intervene (Doc. 77). Stout seeks that the Court dismiss him as Intervenor

from this matter, with prejudice. The Court previously granted Stout leave to intervene in the pending garnishment action as to Randy E. St. Clair on January 23, 2007 (Doc. 80) and directed all further debt collection proceedings be referred to United States Magistrate Judge Wilkerson (Doc. 81). Subsequent to these Court Orders, Stout filed his Motion for Appointment of Receiver and Emergency Injunctive Relief (Doc. 82), to which the parties opposed. Judge Wilkerson conducted a hearing and took the matter under advisement on February 9, 2007 (Doc. 89). Respondents thereafter filed a Motion to Strike Stout's Motion for Appointment of Receiver (Doc. 93), a Motion to Dismiss Stout as an Intervening Party (Doc. 94) and a Motion to Strike Stout's Discovery Requests to Bi-Petro (Doc. 95). Stout opposed all three of Respondents' Motions (Doc. 101).

Stout's Motion (Doc. 103) is hereby **GRANTED** as follows: Stout's Motion for Appointment of Receiver and Motion to Intervene (Doc. 82) is hereby **DENIED**; Steven M. "Mike" Stout d/b/a Stout's Productions is hereby **DISMISSED WITH PREJUDICE** as an Intervening Party in this matter; all remaining pending motions in this case are hereby **DENIED AS MOOT**.

IT IS SO ORDERED.

Signed this 5th day of November, 2007.

/s/ _____ David R Herndon
Chief Judge
United States District Court